



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-THIRD LEGISLATURE

Bill 67

An Act to amend the Courts of Justice Act

Introduction

**Introduced by
Mr Gil Rémillard
Minister of Justice**

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EXPLANATORY NOTES

This bill amends Part IV of the Courts of Justice Act in respect of commissioners for oaths.

Firstly, the bill proposes to abolish the register of the commissioners for oaths kept in every judicial district by the prothonotary of the Superior Court.

Secondly, the bill specifies the territorial jurisdiction of persons who, by virtue of their functions or through public office, are commissioners for oaths, by limiting that jurisdiction to the territory in which they may exercise their functions or hold public office.

The bill establishes a second rule regarding the jurisdiction of a commissioner which prohibits him from receiving the oaths of his father and mother, his brothers and sisters, his spouse and his children.

Finally, the bill fixes a new maximum fee that a commissioner for oaths is entitled to receive.

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THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The second paragraph of section 217 of the Courts of Justice Act (R.S.Q., chapter T-16) is repealed.

2. Section 219 of the said Act is amended by replacing subparagraphs *a* to *f* of the first paragraph by the following subparagraphs:

“(a) the prothonotary or clerk of a court of justice and his deputy, over the territory of the judicial district for which they are appointed;

“(b) the mayor, the clerk or secretary-treasurer of a municipality, over the territory of the municipality, including, for the purposes of this section, the office of the municipality situated, according to law, outside the said territory;

“(c) the pastor or minister of religion authorized to keep the registers of civil status in an unorganized territory, over that territory;

“(d) advocates entered on the roll of the Ordre du Barreau, throughout Québec;

“(e) notaries entered on the roll of the Ordre de la Chambre des notaires, throughout Québec;

“(f) justices of the peace, throughout Québec.”

3. Section 221 of the said Act is amended by replacing the words “relations to the degree of cousin german, inclusively,” in the third and

fourth lines by the words “father and mother, their brothers and sisters, their spouse and their children,”.

4. Section 222 of the said Act is amended by replacing the figure “\$1.00” in the third line by the figure “\$5”.

5. This Act comes into force on 1 January 1989.